

Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 DHA-02

/058 W

-----060846Z 089002 /17

R 060800Z JAN 77

FM AMEMBASSY KATHMANDU

TO SECSTATE WASHDC 7118

INFO AMCONSUL CALCUTTA

AMEMBASSY NEW DELHI

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E.O. 11652 N/A

TAGS: PFOR PINT PINS NP

SUBJ: KOIRALA ARREST

REF: KATHMANDU 76 5312

1. HAVE CONFIRMED THAT B.P. KOIRALA, GANESH MAN SINGH AND TWO OTHER CONGRESS PARTY LEADERS ARE BEING CONFINED UNDER ARREST AT SUNDERIJAL ARSENAL NEAR KATHMANDU, SAME PRISON IN WHICH KOIRALA WAS HELD PRIOR TO HIS EXILE IN 1968. HMG HAS ORDERED 'HUMANE' CONFINEMENT AND HAS GIVEN INSTRUCTIONS THAT KOIRALA IS TO BE GIVEN 'WHATEVER HE DESIRES.' HE HAS, HOWEVER, BEEN EXPRESSLY FORBIDDEN FROM TALKING WITH ANYONE AND IS BEING HELD IN SOLITARY. AS RESULT NEITHER GOVERNMENT OFFICIALS NOR CONGRESS PARTY FOLLOWERS HAVE BEEN ABLE TO FIND OUT WHAT MOTIVATED HIS RETURN AT THIS TIME.

2. APPROXIMATELY 100 PERSONS HAVE BEEN ARRESTED IN KATHMANDU FOR DISTRIBUTING CONGRESS PARTY PAMPHLET ALLEGEDLY WRITTEN BY KOIRALA IN WHICH HE DECRIES DANGER TO NEPAL'S SOVERIGNTY FROM INDIA AND STATES HIS WILLINGNESS TO RETURN TO NEPAL TO ASSIST COUNTRY TO MEET THE THREAT. ASIDE FROM THESE ARRESTS, LIMITED OFFICIAL USE

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NONE OF WHICH HAVE BEEN REPORTED, THERE HAS BEEN NO AGITATION AND SURPRISINGLY LITTLE COMMENT BY EMBASSY CONTACTS.

3. SOURCES REPORT THAT KOIRALA INCIDENT WAS DISCUSSED AT CABINET MEETING HELD LAST WEEK IN POKHARA WHERE KING CONTINUES HIS TOUR OF DEVELOPMENT PROJECTS. NEITHER PALACE NOR COUNCIL OF MINISTERS COULD SHED ANY LIGHT ON WHAT CONGRESS

PARTY HOPED TO GAIN BY KOIRALA'S RETURN. FOLLOWING MEETING AT WHICH KING REPORTEDLY TOOK HARD LINE AGAINST KOIRALA SEVERAL GOVERNMENT OFFICIALS, INCLUDING PRIME MINISTER, HAVE OBLIQUELY ATTACKED THOSE 'WHO THINK THEY CAN ESCAPE PUNISHMENT FOR WORKING AGAINST PARTLESS PANCHAYAT SYSTEM.' KATHMANDU PRESS HAS ALSO BEEN GIVEN ORDERS TO BEGIN SERIES OF ATTACKS ON KOIRALA.

4. KING IS SAID TO HAVE SHOWN LITTLE OR NO INTEREST IN KOIRALA'S RETURN, OTHER THAN TO SAY THAT HE CAN GAIN FREEDOM ONLY BY PUBLICLY ENDORSING CROWN AND PANCHAYAT SYSTEM. IN MEANTIME COURTS HAVE BEEN ORDERED TO PREPARE BILL OF INDICTMENT AGAINST KOIRALA WHO WOULD BE TRIED UNDER SPECIAL ONE MAN TRIBUNAL CREATED IN 1975 TO DEAL WITH ANTI-STATE ACTIVITIES. UNLIKE INDICTMENTS UNDER 'PUBLIC SECURITY ACT,' RESULTS OF THIS TRIBUNAL CAN BE APPEALED TO SUPREME COURT AND ARE TO BE REVIEWED BY KING. TO BEST OF OUR KNOWLEDGE TRIBUNAL HAS NEVER BEEN CONSTITUTED, AND KOIRALA'S CASE WOULD BE FIRST TO BE REVIEWED UNDER THE LAW. THERE IS LITTLE DOUBT IN OUR MINDS THAT COURT WOULD FIND HIM GUILTY, BUT WE WOULD BE SURPRISED IF DEATH PENALTY ALLOWED IN SUCH CASES WOULD BE IMPOSED. IN ANY EVENT KING WOULD HAVE ULTIMATE POWER TO IMPOSE SENTENCE.

5. ACCORDING TO ONE OF KOIRALA'S FOLLOWERS ALL EFFORTS TO EFFECT A COMPROMISE HAVE BEEN STYMIED BY KING'S REFUSAL TO MEET WITH KOIRALA AND BY CONGRESS PARTY LEADERS' INABILITY TO KNOW WHAT TERMS KOIRALA MIGHT EVENTUALLY ACCEPT. IN SOURCE'S VIEW KOIRALA IS MORE THAN WILLING TO STATE HIS LIMITED OFFICIAL USE

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ALLEGIANCE TO MONARCHY BUT HE WILL NOT ENDORSE PRESENT PANCHAYAT SYSTEM. IF SO, KOIRALA FACES PROSPECT OF PUBLIC CAMPAIGN AGAINST HIM WITH FEW, IF ANY PUBLIC ALLIES, AND EVENTUAL TRIAL.
EAVES

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Message Attributes

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Capture Date: 01-Jan-1994 12:00:00 am
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Control Number: n/a
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Sent Date: 06-Jan-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
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